

EXHIBIT 4

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

SARA HAWES, individually, and on behalf of
all others similarly situated,

Plaintiff,

v.

MACY'S WEST STORES, INC.,

Defendant.

Case No. 1:17-cv-00754

Judge Timothy S. Black

SUPPLEMENTAL DECLARATION OF SAL CINIGLIO

I, Sal Ciniglio, declare and state as follows:

1. I am over the age of 18 and under no disability. I have personal knowledge of the matters set forth herein, unless otherwise specifically indicated.

2. I am offering this Declaration to supplement the Declaration I previously submitted in this matter.

3. As my previous Declaration stated, I am employed with AQ Textiles, LLC ("AQ Textiles") as the National Accounts Manager. I have held that position since February 2017. Prior to working for AQ Textiles, I worked for Macy's Merchandising Corporation as the buyer for sheets. I was responsible for negotiating the purchase of bed sheets that are sold in many retail stores operated by Macy's entities, including the Macy's retail stores in California. I held that position between June 2010 and January 2017.

4. Both during my time at Macy's and during my time at AQ Textiles, neither Macy's West Stores, Inc. nor Macy's buyers were involved in the process of manufacturing sheets purchased from AQ Textiles.

5. During my time at Macy's, neither I, as Macy's buyer, nor any other Macy's employee took independent action to verify thread-count statements made on the packaging of sheets purchased from AQ Textiles. I have no reason to believe that Macy's West Stores, Inc. or Macy's buyers currently take independent action to verify thread-count statements made on the packaging of sheets purchased from AQ Textiles.

6. Both during my time at Macy's and during my time at AQ Textiles, Macy's limited involvement relating to the packaging of sheets purchased from AQ Textiles is that, for some programs, it approves the aesthetic aspects of the packaging.

7. During my time working at Macy's, I oversaw the purchase of Somerset sheets from AQ Textiles. The Somerset sheets were not part of Macy's private label program.

8. During my time as sheet buyer, Macy's ordered Somerset sheets from AQ Textiles. The specifications for the Somerset sheets were provided by AQ Textiles to Macy's, on forms provided by Macy's. Macy's had no involvement in the manufacturing of the Somerset sheets. During my time at Macy's, Macy's did not take independent action to verify the stated thread count of the Somerset sheets, or any other statement on the packaging for the Somerset sheets, after receiving them from AQ.

9. Somerset sheets were only offered in 900 thread count.

10. The Somerset sheets were woven with cotton threads laid in the warp direction and polyester threads laid in the weft directions. They were 55% cotton and 45% polyester. The cotton

yarns were 60s Singles Cotton, and at first 20 denier polyester thread was used in the weft direction while later beginning in 2017, 15 denier polyester thread was used in the weft direction.

11. The Somerset sheets were one of the core programs that Macy's offered.

12. Macy's did not label the Somerset sheets.

13. Macy's did not have any role in obtaining test reports for the Somerset sheets prior to purchasing them from AQ Textiles and made no effort to test their actual thread count prior to purchasing them.

14. Macy's relied on AQ Textiles to obtain test reports that confirmed that the Somerset sheets comply with all represented specifications, including thread count.

15. As of June 2017, I was unaware of any governmental entities investigating the thread counts of Somerset sheets or of any customer complaints regarding the thread count of Somerset sheets.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 27, 2021.


Sal Ciniglio